

REMARKS

Claims 1, 6, 7, 9, 10, 13, 23, 28-30, 35 and 36 have been amended. The amendments to claims 1, 6, 7, 23 and 35 correct inadvertent typographical errors so as to refer to the counterion in the quaternary ammonium compound as "X⁻", as recited in structural formula (I), rather than "X". The amendments to claims 9 and 10 correct inadvertent spelling errors. The remaining claim amendments are addressed in the following remarks. No new matter has been added.

Applicants would like to thank Examiner Tucker for indicating that claims 23-27, 31 and 34 are allowable and that claims 5, 12 and 20 contain allowable subject matter.

Rejections under 35 U.S.C. § 112

Claims 13-19, 28-30 and 36 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite.

The rejection of claims 13-19 and 36 under 35 U.S.C. § 112, 2nd paragraph, has been obviated by appropriate amendment. As amended claim 13, from which claims 14-19 depend, and claim 36 each recite that X and Y in the thiocarbonyl compound are independently selected from the group consisting of oxygen and sulfur such that at least one of X and Y is sulfur. The recited structure is now consistent with the general structure of thiocarbonyl compounds. In addition, claim 36 has been amended to include definitions of groups R¹– R⁷.

The rejection of claims 28-30 under 35 U.S.C. § 112, 2nd paragraph, has been obviated by appropriate amendment. As amended, claims 28-30 each recite at least 1% by weight of the phosphate ester, the thiocarbonyl compound, and the at least one additive. The amendments to the claims are supported by the specification, at least at page 13, Table 1; at page 16, lines 9-28; and at page 18, line 30 through page 19, line 32. The previously recited ingredients of the composition are now recited as being present in finite amounts.

Rejections under 35 U.S.C. § 102

The rejection of the claims under 35 U.S.C. § 103(a) over Martin et al. (U.S. Pat. No. 5,393,464) has been obviated by appropriate amendment. The Office Action asserts that Martin et al. discloses a corrosion inhibitor containing coco-benzo-quat and a phosphate ester, and that these ingredients are within the scope of formulas (I) and (II), respectively.

As amended, independent claims 1 and 35 recite that $R^1 - R^4$ are independently selected from alkyl, alkenyl and alkynyl groups. The amendments to the claims are supported by the specification, at least at page 8, lines 1-8; page 8, line 25 through page 9, line 2; and in Examples 1-4 on pages 15-19. Thus, the quaternary ammonium compound recited in independent claims 1 and 35 excludes quaternary ammonium compounds containing aryl substituents such as benzyl, including coco-benzo-quat (cocoyl-benzyl-dimethyl ammonium compound).

Martin et al. does not teach or suggest compositions containing quaternary ammonium compounds having organic substituents that are alkyl, alkenyl, and/or alkynyl groups. Accordingly claims 1 and 35, and claims 2-4, 6-11, 21, 22 and 32 which depend from claim 1, are not obvious over Martin et al., as the reference does not teach or suggest each and every element of the claims. Applicants note that claim 33 depends from independent claim 23, which the Office Action has indicated is allowable. Thus, claim 33 should be allowable without any amendment.

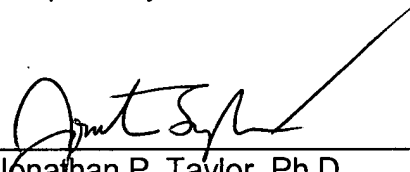
Conclusion

In conclusion, all of the grounds raised in the present Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested in due course. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned.

Also submitted at this time is a Petition for Extension of Time for one (1) month.

Respectfully submitted,

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